

REMARKS

Claims 1-24 were examined. Claim 1 is amended. Claims 25-27 are canceled. Claims 1-24 remain in the Application.

The Patent Office requests an affirmation of the election of claims 1-24. The Patent Office rejects claim 1 under 35 U.S.C. §102(b) and objects to claims 2-14 as being dependent upon a rejected base claim. The Patent Office finds claims 15-24 allowable. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

A. Election Requirement

Applicants affirm the election of claims 1-24 without traverse. Claims 25-27 are canceled.

B. Objection to Claim 1

The Patent Office objects to claim 1 because of an informality. The informality noted by the Patent Office is addressed in the amendment in claim 1. Applicants respectfully request that the Patent Office withdraw the objection to claim 1.

C. 35 U.S.C. §102(b): Rejection of Claim 1

The Patent Office rejects claim 1 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,391,721 of Nakagawa (Nakagawa). The Patent Office finds Nakagawa teaches forming a via layer 25, a p-type epitaxial layer and forming a trench layer 28 (a diffusion layer of n-type material).

Claim 1 describes a method comprising forming a via layer comprising dielectric material on a semiconductor device substrate; forming a trench layer on the via layer, forming a trench through the trench layer; forming a via in the via layer in the trench; and forming a semiconductor material in the via and in the trench. Claim 1 is not anticipated by Nakagawa,

because Nakagawa does not describe forming a via layer comprising a dielectric material on a semiconductor device substrate in accordance with the method described in claim 1.

For the above stated reasons, Applicants respectfully request that the Patent Office withdraw the rejection to claim 1 under 35 U.S.C. §102(b).

D. Objection to Claims 2-14

The Patent Office objects to claims 2-14 as dependent upon a rejected base claim. The Patent Office finds these claims to be otherwise allowable over the prior art of record. In view of the above distinction between claim 1 and the cited art, Applicants believe claims 2-14 are currently allowable. Applicants respectfully request that the Patent Office withdraw the objection to claims 2-14.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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William V. Babbitt
William Thomas Babbitt, Reg. No. 39,591

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nedy Calderon 4/13/05
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